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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------|------------------------|
| 10/642,857 | 08/18/2003 | Gregory Andrew Roy | G&C 30566.17-US-C3 | 3664 |
| 55895 | 7590 | 09/10/2007 | | |
| GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045 | | | EXAMINER NGUYEN, PHU K | |
| | | | ART UNIT 2628 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/642,857 | | ROY ET AL. | |
| | Examiner | | Art Unit | |
| | Phu K. Nguyen | | 2628 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Phu K. Nguyen
PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over KOCHEVAR (The Tecate Data Space Exploration Utility).

As per claim 1, Kochevar teaches the claimed "method of obtaining a map in a computer graphics program" comprising: "receiving a request for a map picture" (Kochevar, the MapQuery Tool; figure 3); "obtaining a map file" (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162; the displayed map in figure 6); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Kochevar, figure 7). It is noted that Kochevar does not teach the map picture is "vector based" map picture. However, Kochevar's graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in

Kochevar's reference containing "vector based" map picture because of Kochevar's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

Claim 2 adds into claim 1 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 3 adds into claim 1 "displaying the map picture" (Kochevar, figures 7-8).

Claim 4 adds into claim 1 "the map data is obtained from a map server across a network connection" (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 5 adds into claim 1 "creating the map file" (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 6 adds into claim 1 "setting map display properties and a level of interaction" (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 7 adds into claim 1 "the claim steps are performed by a browser plug-in" (Kochevar, page 160, column 2, section 4 application Resource).

As per claim 8, Kochevar teaches the claimed "apparatus for obtaining a map computer-implemented graphics system" comprising: a computer (Kochevar, Abstract Visualization Machine; figure 1) and an application executing on the computer (Kochevar, page 159, section 2.2, Object Manager), wherein the application is configured to : "receiving a request for a map picture" (Kochevar, the MapQuery Tool; figure 3); "obtaining a map file" (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Kochevar, figure 7). It is noted that Wolff does not teach the map picture is "vector based" map picture. However, Kochevar's graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Kochevar's reference containing "vector based" map picture because of Kochevar's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

Claim 9 adds into claim 8 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 10 adds into claim 8 “displaying the map picture” (Kochevar, figures 7-8).

Claim 11 adds into claim 8 “the map data is obtained from a map server across a network connection” (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 12 adds into claim 8 “creating the map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 13 adds into claim 8 “setting map display properties and a level of interaction” (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 14 adds into claim 8 “the claim steps are performed by a browser plug-in” (Kochevar, page 160, column 2, section 4 application Resource).

As per claim 15, Kochevar teaches the claimed “article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map” wherein the logic comprises: “receiving a request for a map picture” (Kochevar, the MapQuery Tool; figure 3); “obtaining a map file” (Kochevar, section 5.1 Visualizing Data

in a Database; pages 161-162); "determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture" (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Kochevar, figure 7). It is noted that Kochevar does not teach the map picture is "vector based" map picture. However, Kochevar's graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects including the "vector based" map picture as claimed. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Kochevar's reference containing "vector based" map picture because of Kochevar's system ability to access to an unlimited number of graphical web sites where the "vector based" map picture is used.

Claim 16 adds into claim 15 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 17 adds into claim 15 "displaying the map picture" (Kochevar, figures 7-8).

Claim 18 adds into claim 15 "the map data is obtained from a map server across a network connection" (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 19 adds into claim 15 "creating the map file" (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 20 adds into claim 15 "setting map display properties and a level of interaction" (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 21 adds into claim 15 "the claim steps are performed by a browser plug-in" (Kochevar, page 160, column 2, section 4 application Resource).

RESPONSE TO APPLICANT'S ARGUMENTS:

Applicant's arguments filed on June 25, 2007 have been fully considered. Applicant did not response specifically to the rejection under Kochevar reference, but include Kochevar reference into to arguments of Kochevar reference which is improper since there are two different rejections. However, since Examiner's rejection on Kochevar includes some reference to Kochevar by typing mistakes, Examiner makes this rejection non_final.

- (1) Kochevar does teach a map picture of the Earth in figure 6.
- (2) Kochevar does teach a map file for the Earth map which is inherent for displaying a map.
- (3) Kochevar does teach a map file that contains a URL that identifies a storage location of map data (1st paragraph in section 5.2 Browsing the World Wide

Web, page 162). The type of the map data in Kochevar can text, graphics, vector type, (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1st paragraph, section 1, Introduction, page 157).

(4)-(5) A map can be represented by a raster database, vector database, graphics/object database, ... There is no thing new in a displayed map in computer provided by a vector database.

(6) The data retrieved by the URL link in section 5.2 Browsing the World Wide Web clearly satisfies the request for map picture information (second paragraph in section 5.2, page 162). In page 157, column 2, Kochevar specifically states: "... Tecate enables the browsing for data in a database management system or the World Wide Web via user-interaction with graphical renditions of objects that represent data features." In page 158, column 1, Kochevar additionally discloses "Attributes that effect an object's visual appearance such as geometric and topological structuree, color, texture, material properties, ..." For example, the 3D icons in a world map of figure 6 represents a URL link which links to a data source in the Internet to further provide additional information related to the objects on the map. Kochevar also mentions that the type of the database linked to the icons on the map can be any well known type of database for representing graphics in a user interface which clearly include the vector database representing a graphics object (e.g., 2D city map of NY city) within a map of the United States of America on display (page 157, column 1, 1st paragraph in section Introduction.

Due to some typo errors in the previous action, this action has been made NON-FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen
September 1, 2007


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